THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.18211 OF 2000

Date: 09th October 2006

Between:
M.Veer Raju, son of Surya Rao,
aged 39 years, resident of Valluru,
Mandapeta (via), E.G. District.

…. Petitioner.

And

1. The District Coop.Officer, E.G. District,
   Kakinada and 3 others.

…. Respondents.

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ORDER:

It appears that on the basis of an enquiry conducted under Section 51 of the A.P. Cooperative Societies Act (for short 'the Act'), surcharge proceedings under Section 60 of the Act were initiated. The petitioner submitted his objections stating that the proceedings under Section 60 of the Act may be deferred till the criminal proceedings pending with the Special Court are concluded.

2. While admitting the writ petition on 27.9.2000 an interim stay was granted staying all further proceedings relating to the proceedings Rc.No.264-4/93-E1 on the file

of the second respondent initiated against the petitioner under Section 60 of the Act. However, after filing vacate stay petition, the same was vacated on 05th September 2001.

3. It is the contention of the petitioner that he, being the complainant, could not have examined himself as a witness in the criminal proceedings. The second respondent is playing role of a judge while conducting the proceedings under Section 60 of the Act. Except this, there are no substantial allegations made. In fact, in view of vacating the interim order dated 27.9.2000, the writ petition has become infructuous. There are no merits in the writ petition and the same is liable to be dismissed.

4. The writ petition is accordingly dismissed. The respondents are at liberty to complete the enquiry, if not already completed. No costs.

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C.V.RAMULU, J.

Date: 09th October 2006.
BSB